

**BEFORE THE THE KHYBER UKHTUNKHWA SERVICES**  
**TRIBUNAL, PESHAWSAR**

**SERVICE APPEAL No. 1543-P/2022**

**Ahmad Shah.....Appellant.**

**Versus**

**Govt of KPK & Others .....Respondents.**

**Para-wise Comments on behalf of Respondents No,2-4**

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Dated 10 / 10 / 2022

**BEFORE THE THE KHYBER UKHTUNKHWA SERVICES**  
**TRIBUNAL, PESHAWSAR**

Diary No. 8212

Dated 10/10/23

**SERVICE APPEAL No. 1543-P/2022**

**Ahmad Shah.....Appellant.**

**Versus**

**Govt of KPK & Others .....Respondents.**

**Para-wise Comments on behalf of Respondents No,2-4**

**Preliminary objections**

- That the appellant has got no cause of action, locus standi to file the instant appeal, Therefore, the instant appeal is liable to be dismissed.
- That the appellant has concealed material facts from honorable court, Therefore, this appeal is liable to be dismissed on this score alone.
- That appellant has not come to this court with clean hands. The appeal is liable to be dismissed.
- That the appellant is estopped by his own conduct to file the instant petition.

**ON FACTS.**

1. Subject to record.
2. No comment.
3. As per criteria of advertisement BS academics (16 years' education) and candidate academics marks are multiplied by 40. While B. ED, M.Ed and bachelor of education (Hon) are the professional education. Bachelors of Education (Hon) 4 years after 12 years schooling as equivalent to corresponding master degree in education involving (16 years education) that is B.Ed (Hon) 4 years is equal M.A Education ( HEC Notification, Anx-A).

Furthermore as per advertisement criteria B.Ed (Hon) marks were multiply by 10 (Anx-B). The last appointee having score 119.2 while appellant obtained 107.86 out of 200 marks. Therefore, he has not qualified the merit list/appointment order (Anx-C).

4. Incorrect, hence denied. appellant did not qualify for the merit list as per advertisement criteria and was not recommended in light of guidance from the Directorate of E&SE Khyber Pakhtunkhwa (Annexure "D and E").
5. Incorrect, hence denied. As elucidated in para-3 above on facts. appellant was erroneously appointed for the post of CT(IT) in BPS-07 but later on in light of report/guidance from Directorate of E&SE Khyber Pakhtunkhwa (Anx-D) his appointment order was withdrawn (Anx-F).
6. Incorrect, hence denied. appellant application was considered but rejected in the light of guidance from Directorate of E&SE Khyber Pakhtunkhwa (Anx-E).

**Grounds:**

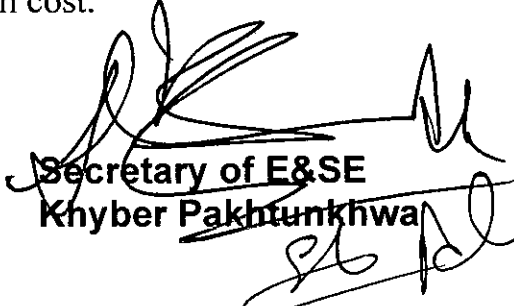
- a. Incorrect, hence denied. As elucidated in para-3 above on facts.
- b. Incorrect, hence denied. The responding department always acts in accordance with the law/rules or regulations. The appellant's rights have never been violated by the respondent department. Only those who have earned their positions are ever appointed by the responding department.
- c. Incorrect. Hence denied. As elucidated in para-3 above.
- d. Incorrect. Hence denied. As elucidated in para-3 above.
- e. Incorrect. Hence denied. The respondent department always acts and follows rules/laws. The respondent department never violates the rights of anyone, strictly followed the merit and never discriminated among the candidates include the appellant.

- f. Incorrect. The respondent department always acts and follows rules/ laws. The respondent department never violates the rights of anyone, including the appellant and always appoints only those who have fulfilled their merit.
- g. Incorrect. Hence denied. As elucidated in para-3 above on facts.
- h. Incorrect. Hence denied. The respondent department acts and follows rules/laws and treated the petitioner accordingly.
- i. The respondent department also seeks permission to advance other grounds and proof at the time of hearing.

**Pray:**

In light of the above stated facts it is submitted, that the case of the appellant may be ordered as dismissed with cost.


**Respondent No. 2**

  
Secretary of E&SE  
Khyber Pakhtunkhwa

**Respondent No. 3**

District Education Officer  
Khyber at Jamrud

**Respondent No. 4**

  
Director of E&SE  
Khyber Pakhtunkhwa

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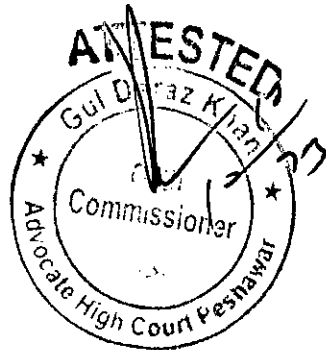
**Para-wise Comments on behalf of Respondents No,2-4**

**Affidavit**

I, Manawar Khan, Focal Person at the District Education Office Khyber do hereby solemnly affirm and declare that the contents of the accompanying para-wise comments submitted is correct to the best of my knowledge and belief and nothing has been concealed from this honorable court.

Deponent  
Manawar khan

*Manawar Khan*



*It is further stated  
that in this appeal,  
the answering respondents  
have neither been placed  
ex-parte nor their defence  
has been struck off.*

**BEFORE THE THE KHYBER UKHTUNKHWA SERVICES**  
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**SERVICE APPEAL No. 1543-P/2022**

**Ahmad Shah.....Appellant.**

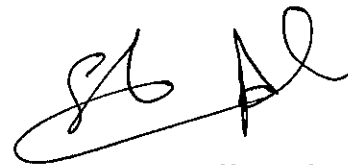
**Versus**

**Govt of KPK & Others .....Respondents.**

**Para-wise Comments on behalf of Respondents No,2-4**

**Authority Letter**

Mr. Manawar khan, Focal person Litigation District Education Office  
Khyber is hereby authorized to submit para-wise comments on behalf  
of undersigned.



**District Education Officer (M)**  
**Khyber at Jamrud**



# HIGHER EDUCATION COMMISSION

H-9, ISLAMABAD, PAKISTAN, Website: <http://www.hec.gov.pk>

P-8 Any A

P-8

=E)

CT

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Deputy Director (SAD)  
Email: [awahab@hec.gov.pk](mailto:awahab@hec.gov.pk)

No.8 (61)/SAD/2021/HEC  
August 17, 2021

6035

Mr. Ahmad Shah,  
S/o Shad Meer,  
Shop No 47-48, Block B,  
Kabul Plaza, Karkhanu Market,  
Peshawar.  
Mob:- 0331-9408689

Subject: - Equivalence of Bachelor of Education (Hons) degree awarded by Islamia College Peshawar.

Dear Sir,

With reference to your application dated July 13, 2021 on the subject cited above, it is informed that Islamia College Peshawar is a chartered institute in public sector. The Higher Education Commission recognizes Bachelor of Education (Hons) degree held by you from Islamia College Peshawar after '12-year Schooling' as equivalent to corresponding Master degree in Education involving 16-year of schooling.

i.e B-Ed (Hon) - 4 year = MA (Edu).

It may also be noted that admission in a university for further education and determination of suitability in relation to job requirement rests with the concerned university and employing agency, respectively and this Commission has no role in such issues.

*(Signature)*

11/10/2021

Yours faithfully,

*(Signature)*  
(Abid Wahab)

Guidance require:  
(Handwritten notes in Urdu) HEC 121 (11/10/21)  
MA (Edu) Equivalency

Clear as MA (Edu).

Ph: +92-51-90400000 Fax: +92-51-90400902

*(Signature)*  
CR

- 7. They may not be named over...
- 8. If any technical legal flaw is pointed out, the appointment will stand as cancelled.

They may not be below 15-years or above 35-years.

یہ جدول اس کے تحت تیار کیا گیا ہے کہ اس میں تمام ایجنسیوں کے نام، پتوں اور دیگر معلومات شامل ہیں۔ (معلومات کے لیے)۔ اس میں شامل تمام ایجنسیوں کی تفصیلی معلومات فراہم کی گئی ہے۔

Table with 8 rows and 3 columns. Columns include Agency Name, Address/Location, and Contact Information. Row 1: (1) ... (BPS-10) ... Row 2: (2) ... (BPS-15) ... Row 3: (3) ... (BPS-10) ... Row 4: (4) ... (BPS-15) ... Row 5: (5) ... (BPS-15) ... Row 6: (6) ... (BPS-12) ... Row 7: (7) ... (BPS-07) ... Row 8: (8) ... (BPS-12) ...

یہ جدول اس کے تحت تیار کیا گیا ہے کہ اس میں تمام ایجنسیوں کے نام، پتوں اور دیگر معلومات شامل ہیں۔ (معلومات کے لیے)۔ اس میں شامل تمام ایجنسیوں کی تفصیلی معلومات فراہم کی گئی ہے۔

Table with 2 columns: Agency Name and Address. It lists various agencies and their corresponding addresses.

یہ جدول اس کے تحت تیار کیا گیا ہے کہ اس میں تمام ایجنسیوں کے نام، پتوں اور دیگر معلومات شامل ہیں۔ (معلومات کے لیے)۔ اس میں شامل تمام ایجنسیوں کی تفصیلی معلومات فراہم کی گئی ہے۔

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Inspector Alleged (12)



R-10 A4-C

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DISTRICT EDUCATION OFFICE  
DISTRICT KHYBER AT JAMRUD  
PHONE. 091-5820584 FAX 091-5820584

CT(IT)

**APPOINTMENT ORDER**

Consequent upon the recommendation of Departmental Selection Committee (DSC) held on 03/09/2021 in the office of District Education Officer Khyber, the recruitment/appointment of the following 09 Nos Male candidates whose test were conducted through ETEA are hereby ordered against vacant post of CT IT in BPS 07 (10990-610-29290) R.M fixed plus usual allowances as admissible with effect from the date of their taking over charge at the stations/school given against their name on adhoc and contract basis initially for One Year under the existing policy of the provincial Govt. of Khyber Pakhtunkhwa in teaching cadre in the interest of public service on the terms and conditions given below:-

S. No	Roll No	Name	Father Name	Score	School Name	CNIC Number
1	56264	IHSAN ULLAH	SULTAN GUL	132.09	GHS Shalobar Bara	21201-5170971-9
2	56588	SHAH JEHAN	MUHAMMAD SADDIQUE	130.68	GHSS Spin Dband Bara	21201-5108738-1
3	55795	MUHAMMAD WASIM	MIRZA KHAN	130.04	GHS Kohi Sher Haider Bara	21201-2424480-5
4	56557	HAIDER HAYAT AFRIDI	AMIR KHAN	128.80	GHS Alam Gudar Bara	21201-7702272-3
5	56334	SIKANDAR SHAH	LAL SHAH KHAN	122.44	GHS Paindi Lalma Mullagori	17301-6822152-1
6	55864	ZAHOO AHMAD	NASRULLAH KHAN	121.58	GHS Shagai Jamrud	21201-8822495-5
7	55937	AHMAD SHAH	SHAD MEER	120.37	GHS Landi Kotal	21202-9531102-1
8	55760	SALEEM KHAN	EERAN GUL	120.30	GHS No. 02 Jamrud	21202-5114917-9
9	56665	TAYYAB ULLAH	NOOR HABIB	119.92	GSAAHSS Jamrud	17301-2981344-7

**Terms & Conditions**

- Charge reports should be submitted through ASDEOs concerned within 15-days of time. Anyone who fails to submit his arrival report within specified period then his appointment will stand as cancelled
- Appointment of the candidates is purely made on ad hoc and contract basis initially for One year and is liable to be terminated at any time without any notice.
- Appointment of the candidates are purely on adhoc & Contract basis which are not transferable till their regularization.
- If the candidate wishes to resign his post he will give one month prior notice or his pay for one month will be forfeited in lieu thereof.
- Their documents, Date of Births, CNICs and domicile certificates should be checked before handing over charges of the posts and attested copies may be kept on record of the school.
- They must produce their Health and Age certificates from the District Health Officer (DHO/MS) concerned.
- They may not be handed over charges if they are below 18-years or above 35-years.
- If any technical legal flaw is pointed out, the appointment will stand as cancelled.
- They will complete nine months in service mandatory professional training at RPDC as and when scheduled.
- No salary will be drawn before the verification of all the testimonials that submitted during scrutiny of documents and merit of the candidates i.e academic, professional degrees/DMCs, CNICs and Domiciles from the quarters concerned through District Education Officer Khyber at Jamrud. The candidates will bear all the expenditures in this connection. A certificate to this effect will be obtained from DEO Khyber for release of pay. If any document found fake or bogus, the appointment of the concerned candidate will stand cancelled and the matter will be reported to law enforcing agencies.
- Errors and omissions will be accepted within specified period.

(NISAR MUHAMMAD)  
DISTRICT EDUCATION OFFICER  
DISTRICT KHYBER AT JAMRUD

Endst:No. 7252-59 Dated 24/09/2021

- Copy of the above is forwarded to the;
- Director E & S E Khyber Pakhtunkhwa at Peshawar.
  - Deputy Commissioner District Khyber at Peshawar.
  - Medical Superintendent District Khyber at Landi Kotal.
  - Principal/Head Master Concerned.
  - District Accounts Officer Khyber at Jamrud.
  - Superintendent local office.
  - ADEO Local Office/Pay Clerk concerned.
  - Official Concerned.

Attested  
DISTRICT EDUCATION OFFICER  
DISTRICT KHYBER AT JAMRUD

P= 11

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ANX-13

RENEW CALCULATION SCORE OF MR. AHMED SHAN S/O SHAD MIR

SERIAL #	ROLL #	NAME	F/NAME	EXTRA MARKS	SSC MARKS OBTAIN	SSC TOTAL MARKS	SSC %	HSIC OBTAIN MARKS	HSIC TOTAL MARKS	HSIC %	B.A.B.S OBTAIN MARKS	TOTAL B.A.B.S MARKS	B.A.B.S %	HSIC OBTAIN MARKS	TOTAL HSIC MARKS	HSIC %	HSIC OBTAIN MARKS	TOTAL HSIC MARKS	HSIC %
14	55937	AHMED SHAN	SHAD MEER	60	807	1050	15.37	715	1100	13.00	316	550	11.47	1080	2350	4.00	1080	2350	4.00

Therefore, the total marks of the candidate is 107.86 out of 200 marks. Therefore, the case is forwarded to the honorable DEO Rhyber (male) for further process.

Sahib 112  
25/03/2022  
PRINCIPAL  
G.M.S. Sahi Kames  
Imam Sahi District

25/03/2022



DIRECTORATE OF ELEMENTARY &  
SECONDARY EDUCATION KHYBER  
PAKHTUNKHWA PESHAWAR.  
F.NO.21/IT (M) TEACHERS

NO. 2247 / DATED 22/02/2022

P-12 ANX-E

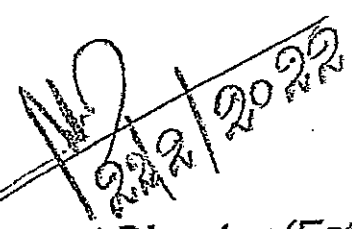
To

The District Education Officer (Male),  
Khyber at Jamrud.

Subject: - GUIDANCE REGARDING CORRECT SCORE CALCULATION IN  
RESPECT OF AHMAD SHAH IN CONNECTION WITH B.ED (HONS)  
4, YEARS.

I am directed to refer to you letter No. 653, Dated 07-02-2022  
on the subject cited above to ask you to consider any other Bachelor  
Degree in respect of the above mentioned candidate in its B.A Column, and  
his B.Ed (Hons) Degree in its own B.Ed & M.Ed. Columns, awarding him  
Ten (10) Marks being equivalent to M.A Education, and proceed further into  
the matter as per rules/policy, please.

Encl: As above.

  
Assistant Director (Estab)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

Endst: No. \_\_\_\_\_ /

Copy of the above is forwarded to the:-

1. PA to Additional Director \_\_\_\_\_ Khyber Pakhtunkhwa  
Peshawar.

Assistant Director (Estab)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

A30 J/c  
D.no. 193  
11/3/22

Attested  
CR

P-13 Annex F

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Khyber Pakhtunkhwa Elementary & Secondary Education Department

OFFICE OF THE DISTRICT EDUCATION OFFICER (M)  
KHYBER AT JAMRUD  
NO. \_\_\_\_\_ / EDU DATED \_\_\_\_\_ 2022  
Email: DEOKHYBER 777@gmail.com

Termination

As per report/guidance of the Director and report submitted by Mr. Saleem Khan Principal GHS Sur Kamar, scrutiny committee, the score of Mr. Ahmad Shah in CT (IT) BPS-07 has fallen down to 107.86 and don't fall in the merit, so his appointment at S.No. 7 of the appointment order issued vide this office letter No.7252-59 dated 24/09/2021 of this hereby cancelled with immediate effect i.e 01/4/2022

- SD  
DISTRICT EDUCATION OFFICER (M)  
KHYBER AT JAMRUD

Endst:No. 2783-80 Dated 2/4 2022

Copy forwarded for information to the

01. Director E & SE KP at Peshawar.
02. Deputy Commissioner Khyber at Peshawar.
03. DMO EMA District Khyber.
04. District Accounts Officer District Khyber.
05. Principal GHS Landi Kotal with the direction to stop his salary.
06. Official concerned.
07. Office Copy.

DISTRICT EDUCATION OFFICER (M)  
KHYBER AT JAMRUD

*[Signature]*  
02/4/22

*[Signature]*  
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